

Message Text

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43

ORIGIN L-03

INFO OCT-01 AF-08 EUR-12 ISO-00 EB-07 TRSE-00 OMB-01 OIC-02

CIAE-00 INR-07 NSAE-00 /041 R

DRAFTED BY L:MFELDMAN:ME

APPROVED BY L:MFELDMAN

EB/IFD/OIA:RJSMITH

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TREASURY:JLANGE

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P R 141814Z MAY 76

FM SECSTATE WASHDC

TO USMISSION OECD PARIS PRIORITY

INFO AMEMBASSY NAIROBI

LIMITED OFFICIAL USE STATE 119208

E.O. 11652: N/A

TAGS: EINV, OECD

SUBJECT: COMMITTEE ON INTERNATIONAL INVESTMENT AND MULTI-
NATIONAL ENTERPRISES (CIME): DOCUMENTATION FOR NEXT
MEETING

REF: (A) IME (76) 14; (B) OECD 13727; (C) OECD 12941

NAIROBI - FOR BOEKER AND BOND

1. DEPARTMENT HAS REVIEWED REF A AND FINDS IT ACCORDS
WITH OUR RECORDS WITH SEVERAL EXCEPTIONS. IN THE CRITICAL
THIRD PARAGRAPH OF THE DECISION ON CONSULTATION WITH
RESPECT TO THE GUIDELINES, THE COMMITTEE DECIDED TO SUB-
STITUTE THE WORD "SHOULD" FOR THE WORD "WHEN". USDEL
REPORT (REF C) DOES NOT REFLECT THAT CHANGE, BUT WE HAVE
INCORPORATED IT IN DOCUMENTATION DISTRIBUTED IN US.
REQUEST YOU CHECK WITH VOGELAAR AND STEIN TO SEE WHETHER
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THEY HAVE ANY RECORD OF THIS MODIFICATION. WE SHOULD MAKE

EVERY EFFORT TO EFFECT CORRECTION.

2. OUR RECORDS INDICATE AGREED COMPETITION SECTION PARA.
1(E) OMITTS PHRASE "AS A MEANS OF AFFECTING ADVERSELY
COMPETITION OUTSIDE THESE ENTERPRISES." WE DO NOT FEEL
STRONGLY ON THIS POINT, AND CAN ACCEPT PHRASE BEING IN IF

IT IS HELPFUL TO OTHERS.

3. CIME GAVE NO AUTHORIZATION FOR ALTERATION OF LAN-
GUAGE IN FINAL PARAGRAPH OF ALL THREE DECISIONS TO CALL
FOR REVIEW "WITHIN", INSTEAD OF "AFTER" GIVEN PERIOD OF
TIME. WE STRONGLY OPPOSE THIS ALTERATION AS IT COULD
LEAD TO UNNECESSARILY FREQUENT REVIEWS.

4. YOU SHOULD ALSO EXPRESS TO STEIN OUR APPRECIATION FOR
HIS LEGAL OPINION (REF B). WE SEE NO NEED FOR FORMAL
ADOPTION OF THIS OR ANY OTHER PORTION OF THE MINUTES,
BUT IT WOULD BE HELPFUL TO HAVE THIS LEGAL OPINION
AVAILABLE TO DELEGATES AS A SEPARATE PIECE OF PAPER IN
THE FORMAT PREPARED BY STEIN. KISSINGER

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Message Attributes

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